

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHNSON & JOHNSON HEALTH CARE
SYSTEMS INC.,

Plaintiff,

v.

SAVE ON SP, LLC,

Defendant.

Case No. 2:22-cv-02632 (JMV) (CLW)

**AMENDED PRETRIAL
SCHEDULING ORDER**

THIS MATTER having come before the Court, and the parties having conferred in response to the Court's November 7, 2023 order, ECF No. 173, and reviewed the Court's Civil Case Management Order as well as the Local Civil Rules, and for good cause shown,

IT IS on this ____ day of _____, 2023

ORDERED THAT that this matter will proceed as follows:

1. **Fact Discovery Deadline.** Fact discovery is to remain open through April 25, 2024. All fact witness depositions must be completed by the close of fact discovery. No fact discovery is to be issued or engaged in beyond that date, except upon application and for good cause shown.
2. **Motions to Add New Parties.** Any motion to add new parties, whether by amended or third-party complaint, must be electronically filed no later than March 14, 2024.
3. **Motions to Amend Pleadings.** Any motion to amend pleadings must be electronically filed no later than March 14, 2024.
4. **Interrogatories.** The parties may serve interrogatories limited to 25 single questions including subparts, on or before March 19, 2024, which shall be responded to within the time set forth in Fed. R. Civ. P. 33(b)(2).
5. **Document Requests.** The parties may serve requests for production of documents on or before March 19, 2024. The parties shall produce documents on a rolling basis.
6. **Depositions.** At present, the parties do not seek to deviate from a limit of ten fact-witness depositions for each side. However, the parties will reassess their needs as discovery progresses, and do not waive their rights to make an application before the Court for additional fact-witness depositions.

7. **Electronic Discovery.** The parties are directed to Rule 26(f), as amended, which, *inter alia*, addresses preservation of discoverable information, discovery of electronically stored information, and claims of privilege or work product protection. The parties are also directed to Local Civil Rule 26.1(d) which describes the obligations of counsel with regard to their clients' information management systems.
8. **Discovery Disputes.** Please refer to the Court's Civil Case Management Order.
9. **Motion Practice.** Please refer to the Court's Civil Case Management Order.
10. **Expert Reports.** All initial expert reports for issues on which the party bears the burden of proof shall be delivered by May 23, 2024. All responsive expert reports shall be delivered by June 26, 2024. All reply expert reports shall be delivered by August 8, 2024. Depositions of all experts shall be completed by September 5, 2024.
11. **Form and Content of Expert Reports.** All expert reports must comport with the form and content requirements set forth in Rule 26(a)(2)(B). No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.
12. **Dispositive Motions.** To be determined.
13. **Extensions and Adjournments.** Please refer to the Court's Civil Case Management Order.
14. **Protective Orders.** Any proposed confidentiality order agreed to by the parties must strictly comply with Rule 26(c), Local Civil Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.
15. **Local Rules.** The parties are directed to the Local Civil Rules for any other matter not addressed by this Order or the Court's Civil Case Management Order.
16. This order is without prejudice to either party requesting a further extension of any deadline herein. The parties agree that neither party will use the other party's consent to the extensions reflected in this order as a basis to argue that the Court should not grant further extensions of any deadline.
17. **FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER OR ANY OTHER ORDERS WILL RESULT IN SANCTIONS.**

CATHY L. WALDOR
United States Magistrate Judge